

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

KATHY L. ADAMS,

Plaintiff,

vs.

KATHLEEN A. LAUGHLIN,

Defendant.

8:18CV349

ORDER

This matter is before the Court on the Findings and Recommendation of the magistrate judge, [Filing No. 13](#), denying plaintiff's motion to remand, [Filing No. 7](#). The plaintiff has not objected to the findings and recommendation of the magistrate judge. In this case, plaintiff alleges that defendant attempted to gain access to medical records in violation of the Nebraska Fair Employment Practice Act and the American with Disabilities Act. Plaintiff contends she was terminated from employment because she refused to sign a medical records release. [Filing No. 1](#). This case was originally filed in the District Court of Douglas County Nebraska and then removed to this Court. Plaintiff then moved to remand to state Court.

A district court reviews de novo those portions of a magistrate's order that are objected to by a party. [Grinder v. Gammon, 73 F.3d 793, 792 \(8th Cir. 1996\)](#). "A judge of the court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. The judge may also receive further evidence or recommit the matter to the magistrate judge with instructions." 28 U.S.C. § 636(b)(1). A district court may reconsider a magistrate judge's ruling where it has been

shown that the ruling is clearly erroneous or contrary to law. *Ferguson v. United States*, 484 F.3d 1068, 1076 (8th Cir. 2007) (citing 28 U.S.C. § 636(b)(1)(A)).

The Court has carefully reviewed the findings and recommendation of the magistrate order. The Court concludes that the magistrate's determinations are correct as a matter of law and fact and not clearly erroneous. The Court will adopt the Findings and Recommendation in its entirety.

THEREFORE, IT IS ORDERED THAT:

1. Plaintiff's motion to remand, [Filing No. 7](#), is denied;
2. The Findings and Recommendation of the magistrate judge, [Filing No. 13](#), is adopted in its entirety.

Dated this 4th day of February, 2019.

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge